

Message Text

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C O N F I D E N T I A L SEOUL 7278

NODIS CHEROKEE

E.O. 11652: XGDS 3 AND 4
TAGS: PGOV, KS, US
SUBJECT: KIM DONG JO QUESTIONNAIRE PROCEDURES

REF: A) STATE 209868, B) STATE 204187

1. AFTER SOME NAGGING FROM ME AND SPURRED BY HOLBROKKE'S CONVERSATION WITH KIM YONG SHIK (REFTEL A), FONMIN PARK AGREED TO SEE ME LATE AUGUST 18 (SEOUL TIME). HE SAID THE ROKG HAD BEEN IN TOUCH WITH KIM DONG JO WHO WAS WILLING TO RESPOND TO THE CONGRESSIONAL QUESTIONNAIRES IN A "SINCERE" MANNER. MOREOVER, HE WAS PREPARED TO RESPOND TO A SET OF CLARIFYING QUESTIONS SO LONG AS THE SUPPLEMENTARY PROCESS WAS INFORMAL, UNPUBLICIZED, AND LIMITED TO ONE ADDITIONAL ROUND OF QUESTIONS. PARK HOPED THE ETHICS COMMITTEES WOULD BE PLEASED WITH DONG JO'S ACCEPTANCE OF THEIR SEQUENCE AS OPPOSED TO MY SUGGESTION FOR A SANDWICH PROCESS. I AGREED THAT THIS WAS MOST HELPFUL BUT STATED THAT, WHILE I DID NOT THINK IT WOULD BE FRUITFUL FOR US TO ARGUE FURTHER AT THIS TIME, I WISHED TO NOTE FOR THE RECORD THAT THE COMMITTEES MIGHT WELL WISH TO ASK MORE THAN ONE ROUND OF ADDITIONAL QUESTIONS.

2. AT THE CONCLUSION OF THE CONVERSATION WE AGREED THAT IF I COULD OBTAIN WASHINGTON'S AGREEMENT TO THE FOLLOWING PROCEDURES, I WOULD INFORM THE FONMIN BY TELEPHONE
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SATURDAY MORNING (SEOUL TIME) AND HAVE THE SEALED QUESTIONNAIRES DELIVERED BY MESSENGER TO THE FOREIGN MINISTRY:

(A) THE ROKG WILL DO ITS BEST TO ENSURE THAT KIM DONG JO RESPONDS TO THE CONGRESSIONAL QUESTIONNAIRES IN A "MEANINGFUL AND SINCERE" MANNER AND WILL ACCEPT THE QUESTIONNAIRES FOR TRANSMITTAL UNDER COVER OF AN AIDE

MEMOIRE INITIALLED BY ME. (THE SUBSTANCE WILL BE EXACTLY THE SAME AS THE TEXT APPROVED BY THE DEPARTMENT IN REFTEL B. THE FONMIN OBJECTS TO A FIRST PERSON NOTE FROM ME AS TOO FORMAL AND INCONSISTENT WITH THE VIENNA CONVENTION.)

(B) KIM DONG JO WILL RESPOND IN KOREAN AS FULLY AND SINCERELY AS HE CAN, ADDRESSING HIS REPLIES TO THE CHAIRMEN OF THE SENATE AND HOUSE ETHICS COMMITTEES WITH TRANSMITTAL VIA THE FOREIGN MINISTRY AND THE EMBASSY. KIM ALSO AGREES TO RESPOND INFORMALLY TO ONE FURTHER ROUND OF CLARIFYING QUESTIONS. HE WILL NOT SIGN THE CLARIFYING RESPONSES BUT IT WILL BE UNDERSTOOD THAT THIS MATERIAL WILL BE PART OF THE PREVIOUS FORMAL SUBMISSION. (THE ROKG UNDERSTANDS THAT I HAVE MADE IT A MATTER OF RECORD THAT THE CONGRESS MAY NOT BE SATISFIED WITH ONE ROUND OF CLARIFICATION. THE ROKG ALSO UNDERSTANDS THAT IT WILL BE NECESSARY TO CONSIDER KIM DONG JO'S SIGNATURE AS COVERING THE SUPPLEMENTARY ANSWERS, INASMUCH AS THE COMMITTEES HAVE FOREGONE THE NORMAL PROCEDURE OF SOWRN TESTIMONY.)

(C) BOTH THE USG AND ROKG WILL REFRAIN FROM PUBLIC MENTION OF THE SUPPLEMENTARY CLARIFICATION PROCESS TO WHICH KIM DONG JO HAS AGREED. (KIM IS APPARENTLY INSISTENT ON THIS POINT, BUT I HAVE CAUTIONED THE ROKG THAT THERE MAY BE CONFIDENTIAL

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LEAKS IN WASHINGTON.)

(D) THESE AGREED ARRANGEMENTS FOR OBTAINING INFORMATION FROM KIM DONG JO WILL BE THE FINAL USG REQUEST OF THE ROKG IN CONNECTION WITH THE ETHICS COMMITTEES' INVESTIGATION.

(E) THE ROKG WILL MAKE A LOW KEY INFORMAL ANNOUNCEMENT IN SEOUL AUGUST 19 (SEOUL TIME) THAT THE USG AND ROKG HAVE REACHED AGREEMENT ON PROCEDURES FOR SUBMITTING A CONGRESSIONAL QUESTIONNAIRE TO KIM DONG JO AND RECEIVING A RESPONSE. THE ROKG ASSUMES WASHINGTON MAY WISH TO MAKE A SIMILAR LOW KEY ANNOUNCEMENT. THE ROKG WOULD PREFER NOT TO PINPOINT EXACTLY WHEN THE QUESTIONNAIRES ARE TRANSMITTED.

3. COMMENT: I AM CERTAIN THAT THIS IS THE BEST WE CAN DO AT THIS STAGE, AND I REQUEST THAT I BE AUTHORIZED BY 0900 AUGUST 19 (SEOUL TIME) TO GO ALONG WITH THESE PROCEDURES. I SEE NO REASON WHY WE CANNOT ACCOMMODATE THE ROKG'S DESIRE FOR AN AIDE MEMOIRE RATHER THAN A FIRST PERSON NOTE (GOD HELP US IF WE CAN'T). ON THE TRICKIER QUESTION OF FURTHER CLARIFICATION, I THINK WE CAN AFFORD TO LEAVE THE RECORD AS IT NOW STANDS WITH THE ROKG'S HAVING STATED THAT KIM

NWANTS ONLY ONE ROUND OF CLARIFICATION AND MY HAVING STATED
THAT THIS MAY NOT BE ENOUGH. I KNOW WE CANNOT GUARANTEE
PUBLIC SILENCE ABOUT KIM'S WILLINGNESS TO ANSWER CLARIFYING
QUESTIONS, BUT I HOPE WE CAN KEEP THE LEAKS TO A MINIMUM.

4. PLEASE INSTRUCT. URGENTLY.
GLEYSTEN

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